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3 **UNITED STATES BANKRUPTCY COURT**
4 **DISTRICT OF NEVADA**

5 In re: BK 09-52177 gwz
6 WES CONSTRUCTION CO., INC. Chapter 7
7
8 Debtor/s / ADV 09-5049 gwz
9 WES CONSTRUCTION CO., INC.

10 Plaintiff
11 vs. **NOTICE AND CONDITIONAL ORDER**
OF DISMISSAL OF ADVERSARY
PROCEEDING
12 MB FINANCIAL BANK, N.A.
13 Defendant
14 /

15 It appearing that the above-captioned adversary has had no activity from
16 August 26, 2009 to the present (more than one year), motion is hereby made that the
17 above entitled adversary proceeding be dismissed pursuant to LR 7041.

18 NOTICE IS HEREBY GIVEN THAT, unless an objection to this motion and notice of
19 hearing of the objection are filed and served within 20 days of the date of this motion by a party
20 in interest, this adversary proceeding may be dismissed without prejudice. If no such objection
21 is filed, noticed, and served, this notice shall be deemed to satisfy the requirements of LR 7041;
22 no further notice of dismissal is required and none will be provided; and a final order of
23 dismissal will be entered.

24 DATED: January 5, 2011

25
26 MARY A. SCHOTT, CLERK

27 /s/ Debra Marsh

28 _____
Deputy Clerk

Copies mailed to Parties Through BNC

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General/Forms/CaseAdministration/CAAdversary/NtcADV-no-activity.wpd

7/03

CERTIFICATE OF NOTICE

District/off: 0978-3
Case: 09-05049

User: marshdl
Form ID: pdf928

Page 1 of 1
Total Noticed: 2

Date Rcvd: Jan 05, 2011

The following entities were noticed by first class mail on Jan 07, 2011.
dft +MB FINANCIAL BANK, N.A., LEWIS AND ROCA LLP, 50 W. LIBERTY STREEET, STE 410,
RENO, NV 89501-1922
pla WES CONSTRUCTION COMPANY, INC., P.O. BOX 33099, RENO, NV 89533-3099

The following entities were noticed by electronic transmission.

NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 07, 2011

Signature:

